

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, 87102
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OFFICIAL NOTIFICATION OF DECISION

October 13, 2017

Jim & Christen Shull
8020 Rio Grande Blvd. NW
Albuquerque, NM 87120

Project# 1004167
17EPC-40043 Site Development Plan for Building Permit

LEGAL DESCRIPTION:

The above action for Lot 7-A, Bosque Plaza, zoned C-1 (SC), located on Coors Blvd. NW, between La Orilla Rd. NW and Bosque Plaza Lane NW, containing approximately 1 acre. (E-12)
Staff Planner: Catalina Lehner

On October 12, 2017 the Environmental Planning Commission (EPC) voted to APPROVE Project PO Box 1293 1004167/17EPC-40043, a Site Development Plan for Building Permit, based on the following Findings and subject to the following Conditions of Approval:

FINDINGS:

Albuquerque

NM 87103

www.cabq.gov

1. This is a request for a Site Development Plan for Building Permit for Lot 7-A, Bosque Plaza, located on Coors Blvd. NW, between La Orilla Rd. NW and Bosque Plaza Lane NW, containing approximately 1 acre. The applicant proposes to develop a 7,000 square foot auto parts retail store.
2. The subject site is zoned C-1 (SC), Neighborhood Commercial zone, with a shopping center (SC) designation. A retail auto parts store is a permissive use.
3. The subject site is included in the Bosque Plaza Site Development Plan for Subdivision (Project #1004176/05EPC-01237 and as amended), which contains design standards that apply to the request.
4. The Albuquerque/Bernalillo County Comprehensive Plan, the Westside Strategic Plan, the Coors Corridor Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The request furthers the following, applicable Goals and policies of the Comprehensive Plan:
 - A. Goal 5.1- Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.
 - Policy 5.1.2- Development Areas: Direct more intense growth to Centers and Corridors and

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use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

The subject site is adjacent to a designated Major Transit Corridor, Coors Blvd. Major Transit Corridors are intended to be served by frequent transit and should be pedestrian-oriented near transit stops, but auto-oriented for much of the corridor. Coors Blvd. has frequent transit service and the proposed building would be accessible from it.

The request would result in development of a neighborhood commercial retail use that is subject to regulations for the Coors Corridor and the Bosque Plaza shopping center, and therefore would be at an appropriate density and scale for an area outside of a designated activity center but already zoned for commercial uses.

- B. Goal 5.6- City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

Policy 5.6.2- Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

The growth resulting from the request would be directed to a neighborhood commercial location adjacent to a Major Transit Corridor, where change is generally encouraged. Major Transit Corridors are intended to be transit and pedestrian-oriented near transit stops, while auto-oriented along much of the corridor (p. 5-17). The proposed use would be auto-oriented but would be accessible by pedestrians from Coors Blvd and Bosque Plaza Lane.

6. The request furthers the following, applicable policies of the WSSP:

- A. Policy 3.12: The Taylor Ranch Community is an appropriate location for continued growth due to its contiguous location to the rest of the City and efficient location for receiving City services.

All Bosque Plaza lots, including the subject site (Lot 7-A), are located within City boundaries in the Taylor Ranch Community, and are therefore an appropriate location for growth and an efficient location for receiving City services.

- B. Policy 3.18 (Taylor Ranch): Protection and preservation of the Bosque is critical. Development east of Coors Boulevard shall be sensitive to this community asset.

The proposed building would be located in the Bosque Plaza shopping center, at the southeast corner of Coors Blvd. and La Orilla Rd., and in the Bosque Transition Zone (see WSSP p. 202). The Bosque is a valued community asset; La Orilla Rd. provides one of the few remaining public access points. Development in Bosque Plaza shall be sensitive to the Bosque environment—buildings must blend in with natural surroundings and the use must not compromise Bosque protection. The request demonstrates sensitivity toward the Bosque environment by meeting the view preservation requirements in the CCP and complying with the Bosque Plaza design standards.

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7. The request furthers the following, applicable policies of the CCP:
 - A. Policy 4.a.3-New Development: New development in the Coors Corridor should be designed to be compatible with the natural landscape and the built environment in accordance with the design regulations and guidelines (p. 86).

The CCP aims to create design harmony by applying regulations to ensure compatibility of new development with the natural landscape and the built environment. The proposed building is a Territorial Revival design. The colors are compatible with the nearby built environment and the nearby natural environment. The proposed building would not detract from the Bosque setting.
 - B. Policy 4.b.7-Access: Separate pedestrian and vehicular access should be provided. Pedestrian access to structures shall not utilize driveways as walkways. Pedestrian connections between uses in commercial developments shall be emphasized (p. 96).

Separate pedestrian connections from the sidewalk along Bosque Plaza Lane to the building, and from Coors Blvd. to the building, are proposed. Separate vehicular and pedestrian access are provided and driveways are not utilized as walkways.
8. The request complies with the following policies and associated design regulations of the CCP:
 - A. Design regulation 1 (4.b.5.B.1) regarding landscaping “in” and “around” the paved area.
 - B. Policy 4.b.10-Architectural Design and Architectural Design, Design Guideline 3 and Architectural Details, Design Guideline 2 regarding discouraging trade mark buildings and compatibility of buildings with the visual environment through colors and materials.
9. The request complies with CCP Policy 4.c.1-View Preservation and View Preservation Design Regulation 1- View Plane Building Heights. The proposed one-story building (22.75 ft. tall) would not penetrate the view plane and would not adversely impact scenic resources. The view exhibit demonstrates that the proposed building comes in just below the maximum, allowable penetration of the view plane.
10. The applicant will need to seek two variances from the Zoning Hearing Examiner (ZHE) to the following Bosque Plaza Design Regulations regarding setback: a) setback from an internal lot line is required to be 0 or 5 feet; 10 feet is proposed, and b) the maximum allowable setback from Bosque Plaza Lane is 54 feet; the proposed setback is approximately 74 feet.
11. Conditions of approval are needed to remedy instances of non-compliance with the Zoning Code and the Bosque Plaza Design Regulations.
12. The applicant notified the Taylor Ranch NA (TRNA), the Westside Coalition of NAs, and property owners within 100 feet of the subject site, as required. As of this writing, Staff received one phone call from a Westside Coalition representative and e-mail correspondence from a representative of the TRNA. Both expressed concern that the design regulations for Bosque Plaza were not being followed.

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13. A facilitated meeting was not requested prior to the deadline of September 11, 2017. However, neighbors still had concerns and requested a private meeting with the applicant. This occurred on October 5, 2017. Neighbors want to ensure that the design regulations, including the view preservation regulations, are being adhered to. Provided that there is compliance, they do not oppose the request.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. A note shall be added to state that the Site Development Plan shall comply with the Design Regulations of the Bosque Plaza Site Development Plan for Subdivision.
4. The applicant shall obtain a variance to each of the following Bosque Plaza Design Regulations regarding setback: A) setback from the internal lot line, and B) maximum allowable setback from Bosque Plaza Lane. Alternatively, the building location and site design shall be revised to comply with the setback standards of the Bosque Plaza Site Development Plan for Subdivision.
5. Walls:
 - A. A decorative feature from (C)(2)(a) and (C)(2)(b) shall be added to the proposed wall pursuant to Zoning Code 14-16-3-19, Height and Design Regulations for Walls, Fences, and Retaining Walls.
 - B. A face-on wall detail shall be provided.
6. Outdoor Seating:
 - A. A shaded patio space with outdoor seating shall be provided (Standard C-5).
 - B. Seating calculations shall be provided.
7. Landscaping- Trees:
 - A. A tree shall be added near the entrance on Bosque Plaza Lane to shade the pedestrian access point (Standard C-3).
 - B. One or two more deciduous trees shall be added to achieve the ratio of 75/25 deciduous to evergreen trees (Standard A-3).

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8. Landscaping- General:

- A. Additional landscaping shall be added to the landscaping beds north and east of the building to meet the requirement for 80% coverage (Standard A-6).
- B. The parking area shall be landscaped with a minimum of 20% of its area (Standard A-16).
- C. The variety of sumac shall match that on the Bosque Plaza plant palette.
- D. Curb notches shall be shown on the landscaping plan and match those on the Grading and Drainage Plan.
- E. Landscape beds shall be depressed below grade.

9. Views Preservation:

- A. Add a bullet point stating the building's highest point from the finished floor.
- B. The length of the building shall be noted as 102 feet (see Sheet SP-1.1).
- C. The term View Area shall be used on the massing exhibit.
- D. The dimensions used in the massing exhibit shall correspond to the dimension on Sheet SP-1.1.

10. Signage:

- A. The Project Identification sign shall be for the Bosque Plaza shopping center (Standard F2-a and Sheet 1, signage note).
- B. Building-mounted signage shall not exceed 6% of the façade to which it is applied (Standard F3-a).
- C. Signage calculations and dimensions shall be shown.
- D. Signage in or on the windows shall be prohibited.

11. Architecture:

- A. The windows shall be multi-paned and trimmed in white (Standard G3-b2).
- B. The coping and wainscoting shall be real red brick (Standard G3-b2).
- C. Two decorative windows (see A, above) shall be added to the each of the south, east, and north elevations.

12. Clarification:

- A. The color of the light poles shall be specified.
- B. Contour lines shall be faded back on the landscaping plan.

13. The following conditions from Transportation Development Staff shall be met:

- A. Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).

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- B. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.
- C. ADA curb ramp located at Coors and Bosque Plaza should be updated with truncated domes.
- D. O'Reilly sign must be moved into the property. Coordinate with NMDOT if sign will remain in place.
- E. Please provide access easement for sidewalk and drive entrance on Lot 8-A.

14. Condition from the Albuquerque/Bernalillo County Water Utility Authority (ABCWUA):

An Availability Statement is required. Requests can be made at the link below:

http://www.abcwua.org/Availability_Statements.aspx

Request shall include a City Fire Marshal approved Fire 1 Plan and a zone map showing the site location.

15. The following conditions from PNM shall be met:

- A. Existing PNM underground distribution lines are located along the southern, western and northern boundaries of the subject property. It is the applicant's obligation to abide by any conditions or terms of those easements.
- B. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Contact:
Mike Moyer, PNM Service Center
4201 Edith Boulevard NE Albuquerque, NM 87107 Phone: (505) 241- 3697
- C. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **OCTOBER 27, 2017**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

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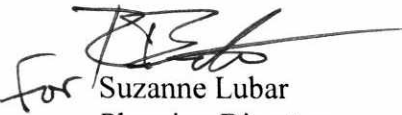
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SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

Sincerely,


for Suzanne Lubar
Planning Director

SL/CL

cc: Jim & Christen Shull, 8020 Rio Grande Blvd NW, ABQ, NM 87120
Wooten Engineering, 1005 21st St SE, #13, Rio Rancho, NM 87124
Gerald Worrall, 1039 Pinatubo Pl. NW, ABQ, NM 87120
Harry Hendriksen, 10592 Rio Del Sole Ct NW, ABQ, NM 87114
Rene Horvath, 5515 Palomino Dr. NW, ABQ, NM 87105
Jolene Wolfley, 7216 Carson Tr. NW, ABQ, NM 87120